

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION

EDUARDO CISNEROS

\_\_\_\_\_  
Plaintiff(s)

vs.

SAFETY HOLDINGS, INC., D/B/A  
SAMBASAFETY

\_\_\_\_\_  
Defendant(s)

CASE NO. 2:22-CV-14306-  
MIDDLEBROOKS/MAYNARD

FILED BY Car D.C.

MAY 24 2023

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - W.P.B.

**DESIGNATION OF EMAIL FOR SERVICE AND NOTICE OF CHANGE OF ADDRESS**

NOW COMES the Plaintiff, EDUARDO CISNEROS, by and through self representation, as Pro-Se Litigant, pursuant to this courts rules of civil procedures hereby designates the e-mail address: garcia.100.luisc@gmail.com , for the purpose of serving pleadings on this case. All parties involved and the court should use this e-mail address for service of documents to me.

Also please take Notice of Change of Address for Plaintiff, 1305 Morningside Drive, Lake Wales, FL. 33853. This should be updated from the prior 14 S Glenwood Ave, Avon Park, FL. 33825 which he no longer resides at so please refrain from sending any further correspondence to that location and if necessary to mail forward to the New address.

Respectfully submitted on 2023-05-15,



EDUARDO CISNEROS  
1305 Morningside Drive Lake Wales,  
Florida 33853  
Garcia.100.luisc@gmail.com  
(863) 368-0485

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SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION**

**EDUARDO CISNEROS**

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**Plaintiff(s)**

**vs.**

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**RESPONSE TO SHOW CAUSE ORDER**

NOW COMES the Plaintiff, EDUARDO CISNEROS, Appearing as Pro-SE in the cause indicated above. Responding to Judge Donald M. Middlebrooks' ORDER TO SHOW CAUSE WHY MOTION TO STRIKE AMENDED COMPLAINT SHOULD NOT BE GRANTED (DE 53). Plaintiff responds to this order asking the court for Leave to Amend the Amended Complaint (DE 37).

Plaintiff is Unable to Respond to this Order in regard to giving any specifics as to the reason for which it was filed in the manner that it was done. The Court makes it Impossible for a Pro Se Litigant to File anything whatsoever Electronically. Presenting unforeseen and unavoidable barriers to defending and prosecuting the merits of the case. According to the Rules of the court one of the reasons for this is to avoid Frivolous Cases from being filed. The point I am trying to make is that I the Plaintiff DO NOT have access to File anything and Nothing that has been Filed Allegedly with my knowledge and Consent has been. Besides Mr. Antonio's Appearance (DE30) and Opposition to the Dismissal (DE31). The issue was brought up to Mr. Antonio at the time of Consultation and so I sent the attorney an email requesting him to review and file the Complaint (DE1) as Amended. I do not practice law and am unlicensed to do so, but even I know that you have a process to follow, That does not mean that Mr. Antonio did not knowingly file the Complaint the way he did without having a legal defense as to why he did it the way he did. I can not Respond to those Actions of which I am Not Responsible for and could not have done unless I gained access to the efile portal. Which by the way I should be Granted considering that I was taken advantage of and even though I did not Consent to the withdrawal of Mr. Antonio it was still Granted by you your Honor. Then you Denied my motion to Proceed In Forma Paupris because Mr. Marco paid the Filing fee to Initiate the complaint process that was not my money. At any rate Mr. Antonio was given a Deadline to submit proof of Service in regards to the motion being granted t with draw. He never complied with that order. Just like he Never complied with the Maj straits Order to show cause. He avoided it by filing his motion to withdraw and lying to the court saying that the withdrawal was being done with my consent and that it would not cause me any harm. For the record I CONSULTED with an attorney who I presented my case to and he reviewed it before deciding to accept it and then we signed a

Retainer Agreement. No attorney in the world is going to File a case that is Frivolous and had I Filed it Pro Se I can almost bet that it would have been Not Filed just like my Motion to Proceed Indigent Status which is the 1st time that has ever happened. Mr.Marco was not the attorney who I signed the Retainer with I had no knowledge of anything that was being filed by him until he notified me that he was withdrawing from my case. At that point is when I asked him for the court case number and anything that was related to the case. Which was provided to me in late February by his assistant or Paralegal. There were some things that I did not receive or have no knowledge of receiving from Mr.Marco until here recently that was provided to me by the defense in his Motion for Summary Judgement. There was some Initial Disclosures that were done Mr.Marco signed it and served the defense with to the emails of the attorneys. The same attorney who was just Granted Leave To Proceed Pro Hac Viche is the same attorney who was receiving Notices before I was ever given these Notices. There has been more than one other time that this attorney has been included in email response coming from either Mr.Marco and Mr.Antonio before he was Granted permission to practice I feel like this is very unethical and feel violated by it. However now I see why the defense did not Consent to me filing my motion to request the change of venue that I asked them to agree to. It makes sense now but that is just to show how much they are benefiting my inability to be able to file electronically. I live in Polk County which is the Middle District not the Southern District.

Navarro v Cohan, 109 F.R.D. 86 (S.D. Fla. 1985)

Senatus v Lopez, No.20-60818-CV-SMITH (S.D. Fla. Aug. 19,2021)

Vital Pharm, Inc.- Alfieri. 576 F. Supp. 3d 1150 (S.D. Fla. 2021)

Clemons v Catler Ridge Automotive, LLC. Case No. 06-71648-CIV- KING/BANSTRA (S.D. Fla. Jun. 24, 2008)

Sosa v Airport Sys., Inc. 133 F 3d 1417.1418.2 (11th Cir. 1998)

"R. Civ. P. 16(b)(4)"

Local Rule 7.6 and Local Rule 11.1

WHEREFORE Plaintiff, EDUARDO CISNEROS, respectfully pleads for this court to consider Plaintiffs uncommon circumstances relating to the process of the case and prior counsel. To acknowledge the Fact that Discovery is still at issue and Re-Open the Discovery allowing Plaintiff and Defense to Comply with Discovery in a Fair Manner to Both Parties. Resetting the dates to those that the court deems will satisfy the justice has been served, If Stiking of The Amended Complaint (DE37) is Unavoidable, To be done WITHOUT PREJUDICE, allowing Plaintiff the Leave to Amend and File in the Venue that presents both parties without prejudice to justice and where the matter arouse from which was the Bradenton area.

Respectfully submitted on 2023-05-15,



EDUARDO CISNEROS  
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Florida 33853  
Garcia.100.luis@gmail.com  
(863) 368-0485

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